

## Reichgott, Christine

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**From:** Casey, Joyce E NWP <Joyce.E.Casey@usace.army.mil>  
**Sent:** Friday, April 03, 2015 4:48 PM  
**To:** Reichgott, Christine  
**Cc:** Matson, Jeffrey T NWP; Lear, Gayle HQ @ NWD; Winters, Robert NWP; Brice, Kevin J NWP; Ponganis, David J SES NWD; Carlsen, Elisa NWP  
**Subject:** (UNCLASSIFIED)  
**Attachments:** 0403215 Casey to Reichgott re DCCO Plan.pdf

Classification: UNCLASSIFIED

Caveats: NONE

Ms. Reichgott, Attached please find my response to your comments raised to the Corps concerning the plan for management of Double-crested cormorants at East Sand Island.

Joyce E. Casey  
Chief, Environmental Resources Branch  
US Army Corps of Engineers Portland District CENWP-PM-E joyce.e.casey@usace.army.mil  
(503) 808-4760 office  
(503) 808-4756 fax  
(503) 961-4832 cell

Classification: UNCLASSIFIED

Caveats: NONE

## Reichgott, Christine

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**From:** Reichgott, Christine  
**Sent:** Monday, April 06, 2015 4:09 PM  
**To:** 'Casey, Joyce E NWP'  
**Cc:** Matson, Jeffrey T NWP; Lear, Gayle HQ @ NWD; Winters, Robert NWP; Brice, Kevin J NWP; Ponganis, David J SES NWD; Carlsen, Elisa NWP; Allnutt, David; Soscia, Marylou; Opalski, Dan; McLerran, Dennis  
**Subject:** RE: (UNCLASSIFIED)  
**Attachments:** 14-0032-COE Response to FEIS Comments.pdf

Hello Ms. Casey,  
My response to your letter of April 3rd, 2015 is attached. Please feel free to contact me if you have questions.

Teena Reichgott  
Manager, Environmental Review and Sediment Management Unit Office of Ecosystems, Tribal and Public Affairs EPA  
Region 10 ETPA-202-3  
1200 Sixth Avenue, Suite 900  
Seattle, WA 98101-3140  
206-553-1601

-----Original Message-----

**From:** Casey, Joyce E NWP [mailto:Joyce.E.Casey@usace.army.mil]  
**Sent:** Friday, April 03, 2015 4:48 PM  
**To:** Reichgott, Christine  
**Cc:** Matson, Jeffrey T NWP; Lear, Gayle HQ @ NWD; Winters, Robert NWP; Brice, Kevin J NWP; Ponganis, David J SES NWD; Carlsen, Elisa NWP  
**Subject:** (UNCLASSIFIED)

Classification: UNCLASSIFIED  
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Ms. Reichgott, Attached please find my response to your comments raised to the Corps concerning the plan for management of Double-crested cormorants at East Sand Island.

Joyce E. Casey  
Chief, Environmental Resources Branch  
US Army Corps of Engineers Portland District CENWP-PM-E joyce.e.casey@usace.army.mil  
(503) 808-4760 office  
(503) 808-4756 fax

(b) (6)

Classification: UNCLASSIFIED  
Caveats: NONE

## **Reichgott, Christine**

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**From:** Reichgott, Christine  
**Sent:** Friday, April 24, 2015 9:12 AM  
**To:** Somers, Elaine  
**Subject:** RE: EPA Comments on Portland District Avian Actions (UNCLASSIFIED)

Right, I agree that analysis and consideration of alternatives outside the jurisdiction of the lead agency are appropriate. In this case, the intent was to recognize that implementation of such measures was outside the jurisdiction of the Corps.

Teena Reichgott  
Manager, Environmental Review and Sediment Management Unit Office of Ecosystems, Tribal and Public Affairs EPA  
Region 10 ETPA-202-3  
1200 Sixth Avenue, Suite 900  
Seattle, WA 98101-3140  
206-553-1601

-----Original Message-----

**From:** Somers, Elaine  
**Sent:** Thursday, April 23, 2015 7:35 PM  
**To:** Reichgott, Christine  
**Subject:** RE: EPA Comments on Portland District Avian Actions (UNCLASSIFIED)

Thank you so much, Teena. I will add it to the file.

In response to the Corps' letter, I would want to convey that CEQ addresses the issue of alternatives outside the lead agency's jurisdiction in their 40 Most Asked Questions, 2a and 2b:

"Reasonable alternatives include those that are practical or feasible from the technical and economic standpoint and using common sense" and that "An alternative that is outside the legal jurisdiction of the lead agency must still be analyzed in the EIS if it is reasonable. A potential conflict with local or federal law does not necessarily render an alternative unreasonable, although such conflicts must be considered. Section 1506.2(d). Alternatives that are outside the scope of what Congress has approved or funded must still be evaluated in the EIS if they are reasonable, because the EIS may serve as the basis for modifying the Congressional approval or funding in light of NEPA's goals and policies. Section 1500.1(a)."

Based on the above, the Corps could not conclude that our concerns have been addressed. They should explore the suggested alternatives with NOAA-Fisheries and other stakeholders.  
Elaine

-----Original Message-----

**From:** Reichgott, Christine  
**Sent:** Thursday, April 23, 2015 9:50 AM  
**To:** Somers, Elaine  
**Subject:** RE: EPA Comments on Portland District Avian Actions (UNCLASSIFIED)

Joyce beat me to the punch sending the electronic version of their letter. I saved it on the G drive under final letters with the EPA project number.

Teena Reichgott

Manager, Environmental Review and Sediment Management Unit Office of Ecosystems, Tribal and Public Affairs EPA  
Region 10 ETPA-202-3  
1200 Sixth Avenue, Suite 900  
Seattle, WA 98101-3140  
206-553-1601

-----Original Message-----

From: Casey, Joyce E NWP [mailto:Joyce.E.Casey@usace.army.mil]

Sent: Thursday, April 23, 2015 8:30 AM

To: Somers, Elaine; Reichgott, Christine

Cc: Matson, Jeffrey T NWP; Winters, Robert NWP; Fischer, Steven A NWD; Lear, Gayle HQ @ NWD; Peters, Rock D NWD

Subject: EPA Comments on Portland District Avian Actions (UNCLASSIFIED)

Classification: UNCLASSIFIED

Caveats: NONE

We believe that all of EPA's concerns have been addressed. Please see the enclosed. Thanks.

Joyce E. Casey

Chief, Environmental Resources Branch

US Army Corps of Engineers Portland District CENWP-PM-E joyce.e.casey@usace.army.mil

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(b) (6)

Classification: UNCLASSIFIED

Caveats: NONE